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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92056317
Party	Plaintiff Cockpit USA, Inc.
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Submission	Other Motions/Papers
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Date	03/17/2016
Attachments	Motion.Suspend for and Report of Settlement Negotiations.031716.pdf(205796 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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COCKPIT USA, INC.,

Cancellation No. 92056317

Registration No. 2817325

Petitioner,

v.

TOP GUN INTELLECTUAL  
PROPERTIES LLC,

Registrant.

.....

PETITIONER'S MOTION TO SUSPEND PROCEEDING FOR  
SETTLEMENT NEGOTIATIONS AND REPORT OF SAME

Petitioner, Cockpit USA, Inc. ("Petitioner"), by its attorneys Rand Rosenzweig Radley & Gordon LLP, hereby moves the TTAB for suspension of the above-referenced proceedings for 90 days for purposes of settlement negotiations. Registrant, Top Gun Intellectual Properties LLC ("Registrant"), by its attorneys, Moritt Hock & Hamroff LLP, consents to the motion. As directed by the TTAB Order dated September 26, 2015, the following report provides a detailed explanation of the progress the parties have made towards settlement. The current end of discovery is set for March 20, 2016, and for the reasons stated below, counsel for both parties respectfully request a 90-day suspension.

REPORT OF SETTLEMENT NEGOTIATIONS

1. Counsel for Petitioner and Registrant have been holding settlement negotiations throughout the period of suspension, which included extensive telephone and email communications regarding settlement proposals and the exchange of draft settlement agreements. The settlement proposals are complex as the parties need to reach resolution on mutually agreeable co-existence in their respective markets both in the U.S. and outside the U.S.

2. Counsel have exchanged several versions of draft settlement agreements, and after the most recent conference call between counsel, have circulated another draft of the agreement. On the call, counsel agreed that the parties are close to resolution of the remaining settlement issues, but that additional time is required to communicate with our respective clients and finalize the settlement agreement.

3. Therefore, it is respectfully requested by both parties that the TTAB suspend the proceedings for 90 days pending settlement negotiations.

Dated: March 17, 2016  
White Plains, N.Y.

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